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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALEXANDER S. WELLER, MD,

Plaintiff,

-against-

23-CV-04775 (PKC)(LB)

**DECLARATION OF RORY J.  
MCEVOY, ESQ.**

ICAHN SCHOOL OF MEDICINE AT MOUNT  
SINAI, KATHY NAVID, MD, DENNIS  
CHARNEY, MD, CLARISSA JONES-WINTER,  
MOUNT SINAI HEALTH SYSTEM, INC., THE  
MOUNT SINAI HOSPITAL INC.,

Defendants.

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RORY J. MCEVOY, ESQ., pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. I am a member of the firm Akerman LLP, attorneys for Defendants Mount Sinai Queens (named herein as "Icahn School of Medicine at Mount Sinai", "Mount Sinai Health System, Inc.", and "The Mount Sinai Hospital"), Kathy Navid, M.D., Dennis Charney, M.D., and Clarissa Jones-Winter (collectively, "Defendants") and I am fully familiar with this proceeding as well as the specific matters set forth herein. I make this declaration in support of Defendants' motion to dismiss.

2. Exhibit 1 hereto is a copy of the Amended Complaint filed in this action on November 13, 2023.

3. Exhibit 2 hereto is a copy of Standard Terms and Conditions of Part Time Physician Employment, which was originally filed in this action by Plaintiff as Exhibit A to the Complaint filed on June 27, 2023. (ECF Dkt. No. 1).

4. Exhibit 3 hereto is a copy of the transcript of the October 31, 2023 Pre-Motion Conference before The Honorable Pamela K. Chen.

Date: New York, New York  
December 14, 2023

/s/Rory J. McEvoy  
Rory J. McEvoy